

Practitioner's Docket No. 117163-17

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of: Mueller et al

Application No.: 09/804,975

Group No.: 3738

Filed: 03/13/2001

Examiner: Stewart, A.J.

For: STENT

RESPONSE UNDER
37 C.F.R. § 1.116
EXPEDITED PROCEDURE
EXAMINING GROUP
3738

FAX RECEIVED

JAN 7 2003

GROUP 3700

Box AF
Commissioner for Patents
Washington, D.C. 20231

AMENDMENT OR RESPONSE AFTER FINAL REJECTION—TRANSMITTAL

1. Transmitted herewith is an amendment after final rejection (37 C.F.R. 1.116) for this application.

STATUS

2. Applicant is other than a small entity.

CERTIFICATION UNDER 37 C.F.R. §§ 1.8(a) and 1.10*

(When using Express Mail, the Express Mail label number is mandatory;
Express Mail certification is optional.)

I hereby certify that, on the date shown below, this correspondence is being:

MAILING

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37 C.F.R. § 1.8(a)

37 C.F.R. § 1.10*

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8 PAGES

Date: 7 JAN 2003

Signature

Stephen L. Grant

(type or print name of person certifying)

* Only the date of filing (≥ 1.6) will be the date used in a patent term adjustment calculation, although the date on any certificate of mailing or transmission under ≥ 1.8 continues to be taken into account in determining timeliness. See ≥ 1.703(f). Consider "Express Mail Post Office to Addressee" (≥ 1.10) or facsimile transmission (≥ 1.6(d)) for the reply to be accorded the earliest possible filing date for patent term adjustment calculations.

EXTENSION OF TERM

3. The proceedings herein are for a patent application and the provisions of 37 C.F.R. 1.136 apply. Applicant believes that no extension of term is required. However, this conditional petition is being made to provide for the possibility that applicant has inadvertently overlooked the need for a petition for extension of time.

FEE FOR CLAIMS

4. The fee for claims (37 C.F.R. 1.16(b)-(d)) has been calculated as shown below:

	(Col. 1)		(Col. 2)	(Col. 3)	OTHER THAN A SMALL ENTITY	
	Claims Remaining After Amendment		Highest No. Previously Paid For	Present Extra	Rate	Addit Fec
Total	57	Minus	58	= 0	x \$18 =	\$0
Indep	2	Minus	3	= 0	x \$84 =	\$0
First Presentation of Multiple Dependent Claim					+ \$280 =	\$0
					Total Addit. Fec	\$0

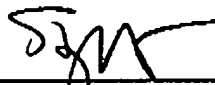
No additional fee for claims is required.

FEE DEFICIENCY

5. If any additional extension and/or fee is required, charge Account No. 15-0450.
- If any additional fee for claims is required, charge Account No. 15-0450.

Date: 8 7 Jan 2003

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Attorney's Docket 117163-17IN THE UNITED STATES PATENT AND TRADEMARK OFFICEApplicant: MuellerExaminer: Stewart, A.J.Ser. No.: 09/804,975Art Group: 3738Title: STENTFiled: 13 March 2001Date: 7 January 2003RESPONSE AFTER FINAL REJECTION

This Response is made to the Office Action mailed 8 November 2002. No extension or extra claim fees are believed to be due with this filing. If any are due, please charge Deposit Account 15-0450. As this response is made within two months after the final rejection, the applicant is entitled to the advisory action rules.

AmendmentsAmendments to the Claims

✓ Please cancel claim 6.

Please amend the claims as follows:

1. (twice amended) A stent, comprising:

at least two tubular portions arranged adjacently in a longitudinal direction of the stent and which comprise a plurality of interconnected, substantially cell-shaped elements which have an orientation and are connected together in the longitudinal direction of the stent by way of at least one first connecting bar that extends substantially parallel to the longitudinal direction [means],

wherein the elements are of such a configuration that the ends of the elements which are in the longitudinal direction of the stent define an edge contour extending around the stent in a wave-like configuration in a peripheral direction thereof, characterised in that the mutually adjoining edge contours of said at least two adjacent tubular portions extend around the stent substantially in an in-phase relationship.